Dear Stakeholders:

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If you have comments on this regulatory proposal, please submit them in writing by **Friday, April** 12, 2013 by e-mail to <u>laurie.schoder@state.co.us</u> or by fax to 303-753-6214. If you have questions, please call Laurie Schoder at 303-692-2832. Changes are highlighted in <u>yellow</u>.

1 STANDARDS FOR HOSPITALS AND HEALTH FACILITIES 2 **CHAPTER XXII - BIRTH CENTERS** 3 6 CCR 1011-1 Chap 22 4 5 These chapters of regulation incorporate by reference (as indicated within) material originally published 6 elsewhere. Such incorporation, however, excludes later amendments to or editions of the referenced 7 material. Pursuant to 24-4-103 (12.5), C.R.S., the Health Facilities Division of the Colorado Department of 8 Public Health And Environment maintains copies of the incorporated texts in their entirety which shall be 9 available for public inspection during regular business hours at: 10 **Division Director** 11 Colorado Department of Public Health and Environment 12 Health Facilities Division 13 4300 Cherry Creek Drive South 14 Denver, Colorado 80222-1530 15 Main switchboard: (303) 692-2800 16 Certified copies of material shall be provided by the division, at cost, upon request. Additionally, any 17 material that has been incorporated by reference after July 1, 1994 may be examined in any state 18 publications depository library. Copies of the incorporated materials have been sent to the state 19 publications depository and distribution center, and are available for interlibrary loan. 20 **Definitions [Eff. 06/30/2009]** 21 Birth Center – Any public or private health facility or institution which is not licensed as a hospital or as 22 part of a hospital and provides care during delivery and immediately after delivery for generally less than 23 twenty-four hours. 24 Plan Review - The review by the Department, or its designee, of new construction, previously unlicensed 25 space, or remodeling to ensure compliance by the facility with the National Fire Protection Association 26 (NFPA) Life Safety Code and with this Chapter XXII. Plan review consists of the analysis of construction 27 plans/documents and onsite inspections, where warranted. For the purposes of the National Fire 28 Protection Association requirements, the Department is the authority having jurisdiction for state 29 licensure. 30 Structural Element - For the purposes of plan review, means an element relating to load bearing or to the

scheme (layout) of a building as opposed to a screening or ornamental element. Structural elements of a

1 2	building include but are not limited to: floor joists, rafters, wall and partition studs, supporting columns and foundations.
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4	XVII. GENERAL BUILDING AND FIRE SAFETY PHYSICAL PLANT STANDARDS
5	A. RESERVED Fire Safety Standards and Fees
6 7 8 9	1. Birth centers shall be compliant with the National Fire Protection Association (NFPA) 101, Life Safety Code (2000), which is hereby incorporated by reference. Such incorporation by reference, as provided for in 6 CCR 1011-1, Chapter II, excludes later amendments to or editions of referenced material.
10 11	a. Facilities licensed on or before June 30, 2009 shall meet Chapter 21, Existing Ambulatory Health Care Occupancies, NFPA 101.
12 13 14 15 16	b. Facilities licensed on or after July 1, 2009 or portions of facilities that undergo remodeling on or after July 1, 2009 shall meet Chapter 20, New Health Care Occupancies, NFPA 101. In addition, if the remodel represents a modification of more than 50 percent of the total interior of the physical plant, the entire facility shall be renovated to meet Chapter 20, NFPA 101.
17	c. Notwithstanding NFPA 101 Life Safety Code (2000) provisions to the contrary:
18 19	i- When differing fire safety standards are imposed by federal, state or local jurisdictions, the most stringent standard shall apply.
20 21	ii Any story containing an exterior door or an exterior window that opens to grade level shall be counted as a story.
22 23 24	iii Licensed facilities shall be separated from unlicensed contiguous occupancies by an occupancy separation with a fire resistance rating of not less than 2 hours.
25 26 27 28 29	2. Plan review and plan review fees are required as listed below. If the facility has been approved by the Department to use more than one building for the direct care of patients on its campus, each building is subject to the applicable base fee plus square footage costs. Fees are nonrefundable and shall be submitted prior to the Department initiating a plan review for a facility.
30	a. Initial Licensure, Additions, Relocations
31 32	(i) Plan review is applicable to the following, and includes new facility construction and new occupancy of existing structures:
33 34 35	(I) Applications for an initial license, when such initial license is not a change of ownership and the application is submitted on or after July 1, 2009.
36 37 38 39	(II) Additions of previously uninspected or unlicensed square footage to an existing occupancy and the building permit for such addition is issued on or after July 1, 2009 or if no permit is required by the local jurisdiction, construction began on or after July 1, 2009.

1 2 3 (III) Relocations of a currently licensed facility in whole or in part to another physical plant, where the occupancy date occurs on or after July 1, 2009. 4 5 (ii) Initial licensure, addition, and relocation plan review fees; base fee of \$2,250, plus square footage costs as shown in the table below. Square Footage Cost per Square Foot Explanatory Note 0-25,000 sq ft \$0.10 This is the cost for the first 25,000 sq ft of any plan submitted. $\frac{25,001+sq}{t}$ \$0.02 This cost is applicable to the additional square footage over 25,000 sq ft. 6 7 Remodeling 8 9 i. Plan review is applicable to remodeling for which the application for the building permit from the local authority having jurisdiction is dated on or 10 after July 1, 2009, or if no permit is required by the local jurisdiction, 11 construction began on or after July 1, 2009. Remodeling includes, but is 12 not limited to: 13 (I) Alteration, in patient sleeping areas, of a structural element subject to 14 Life Safety Code standards, such as egress door widths and 15 smoke or fire resisting walls. 16 (II) Relocation, removal or installation of walls that results in alteration of 17 25% or more of the existing habitable square footage or 50% or 18 more of a smoke compartment. 19 (III) Conversion of existing space into birthing rooms. 20 (IV) Changes to egress components, specifically the alteration of a 21 structural element, relocation, or addition of an egress 22 23 component. Examples of egress components include, but are not limited to, corridors, stairwells, exit enclosures, and points of refuge. 25 (V) Installation of any new sprinkler systems or the addition, removal or 26 relocation of 20 or more sprinkler heads. 27 28 (VI) Installation of any new fire alarm system, or addition, removal or relocation of 20 or more fire alarm system appliances including. but not limited to, pull stations, detectors and notification devices. 30 (VII) Installation, removal or renovation of any kitchen hood suppression 31 system. 32 (VIII) Essential electrical system: replacement or addition of a generator 33 or transfer switch. However, replacement of either the generator or transfer switch with one having the same exact performance

12 specifications is considered maintenance and not subject to plan review. 3 4 ii. Remodeling plan review fees: base fee of \$1,750, plus square footage costs as shown in the table below. Square Footage Cost per Square Foot Explanatory Note 0-20,000 sq ft \$0.07 This is the cost for the first 20,000 sq ft of any plan submitted. $\frac{20,001 + \text{sq ft}}{20}$ \$0.02 This cost is applicable to the additional square footage over 20,000 sq ft. 5 6 7 F. Heating and Ventilation: 8 1. A safe and adequate source of heat capable of maintaning MAINTAINING a room temperature 9 of at least 72°F. shall be provided and maintained. 10 2. Ventilation shall remove objectionable odors, excessive heat and condensations. 11 3. Mechanically operated systems shall be used to supply air to and/or exhaust air from soiled 12 workrooms or soiled holding rooms, janitor's closets, soiled storage areas, toilet rooms, 13 and from spaces which are not provided with openable windows or outside doors. All fans 14 serving exhaust systems shall be located at the discharge end of the system. 15 16 H. Fire Safety and Accident Prevention: 17 1. Emergency numbers shall be located near the telephone. 18 2. There shall be a written evacuation and fire plan for the removal of patients in case of fire and 19 other emergencies. The plan shall be posted in a conspicuous place in the building. 20 3. A simulated drill shall be performed every quarter per work shift. A written record of each drill 21 shall be kept on file. 22 23 O. The "Guidelines for Design and Construction of Health Care Facilities" (2006 Edition), American 24 25 Institute of Architects (AIA), may be used by the Department in resolving health, building, and life safety issues for construction initiated or systems installed on or after July 1, 2009. The AIA 26 Guidelines are hereby incorporated by reference. Such incorporation by reference, as provided 27 for in 6 CCR 1011-1, Chapter II, excludes later amendments to or editions of referenced material. 28 THE DEPARTMENT SHALL RELY ON THE GUIDELINES FOR DESIGN AND CONSTRUCTION 29 FOR HEALTH CARE FACILITIES. (2010 EDITION), FACILITIES GUIDELINES INSTITUTE (FGI) 30 IN RESOLVING PHYSICAL PLANT HEALTH AND SAFETY ISSUES FOR CONSTRUCTION 31 INITIATED OR SYSTEMS INSTALLED ON OR AFTER JULY 1, 2013. THE GUIDELINES FOR 32 DESIGN AND CONSTRUCTION FOR HEALTH CARE FACILITIES, (2010 EDITION), 33 FACILITIES GUIDELINES INSTITUTE (FGI) IS HEREBY INCORPORATED BY REFERENCE

1 2	AND DOES NOT INCLUDE ANY LATER AMENDMENTS TO OR EDITIONS OF THE GUIDELINES.
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